

REMARKS

Upon entry of the present amendment, claims 2, 4, 56, 59, 66-68 and 71 will be pending in the application. Claims 2, 4, 56 and 59 will be amended, and claim 71 will be newly added. Entry of the present amendment, reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

As an initial matter, Applicants wish to thank the Examiner for the interview conducted on October 12, 2006 by Applicants' U.S. representative. During the interview, Applicants' U.S. representative noted that the Examiner appeared to take the position that the broadcast data disclosed in Kawai is accumulated in Kawai's EEPROM 56, and argued that Kawai's ID codes do not identify the EEPROM 56 (and thus, Kawai does not disclose the transmission of data to be accumulated on a storage medium identified by a transmitted storage identifier, as recited in Applicants' claims 2, 4 and 59). Applicants' U.S. representative also argued that Kawai's ID codes do not identify a kind of storage medium, as recited in Applicants' claims 56 and 59.

The Examiner clarified his position by indicating that he interprets Kawai's hardware terminals 41 as reading on Applicants' claimed storage medium, and indicated that the claimed inventions could be distinguished from Kawai by reciting that the claimed plurality of storage media are of a single receiving apparatus. Applicants thank the Examiner for suggesting how to advance the prosecution of the present application, and have followed the Examiner's recommendations in preparing the present amendment.

In the Final Office Action, the Examiner rejected claims 2, 4, 56, 59 and 66-68 under 35 U.S.C. §102(e) as being anticipated by Kawai (U.S. Patent No. 6,792,245). Applicants respectfully traverse the rejection for at least the following reasons.

Upon entry of the present amendment, Applicants' independent claim 2 will recite a transmitting apparatus that transmits a storage identifier that identifies one of a plurality of storage media of a single receiving apparatus and data to be accumulated on the storage medium identified by the storage identifier.

Applicants' independent claim 4 will recite a transmitting method which includes transmitting a storage identifier that identifies one storage medium of a plurality of kinds of storage media of a single receiving apparatus and data to be accumulated on the storage medium identified by the storage identifier.

Applicants' independent claim 56 will recite a transmitting apparatus that transmits a storage identifier that identifies one of a plurality of kinds of storage media of a single receiving apparatus, and data to be accumulated on a storage medium of the kind of storage medium identified by the storage identifier.

Applicants' independent claim 59 will recite a transmitting method which includes transmitting a storage identifier that identifies one of a plurality of kinds of storage media of a single receiving apparatus, and data to be accumulated on a storage medium of the kind of storage medium identified by the storage identifier.

Upon entry of the present amendment, new claim 71 will be added for the Examiner's consideration. Claim 71 recites a transmitting method which includes

transmitting a storage identifier that identifies one of a plurality of storage media of a single receiving apparatus and data to be accumulated on the storage medium identified by the storage identifier.

Kawai discloses a hardware terminal 41 which includes a CPU 54, an EEPROM 56, and a storage medium drive 62. See Figure 2, and col. 6, line 53 – col. 7, line 40 of Kawai. When a user loads a storage medium into the hardware terminal 41, ID codes associated with the contents recorded in a Table of Contents of the storage medium are read out by the hardware terminal 41, and are stored in the EEPROM 56, or registered within the CPU 54. See col. 8, lines 6-22 of Kawai.

Kawai discloses that broadcast data is received by hardware terminals 41 in real time, and an ID code included with the received information is detected. See col. 8, lines 23-25 of Kawai. Only when the detected ID code from the received information agrees with an ID code stored in a hardware terminal 41 is the remainder of the real time received information downloaded to be stored in EEPROM 56. See col. 8, lines 26-30 of Kawai. Kawai discloses, at col. 10, lines 18-38, that the hardware terminal 41 may be used to receive a large amount of pre-stored information from the storage medium, and receive a smaller amount of associated real time information, such as auxiliary information.

Applicants respectfully submit that the broadcast data is not accumulated on the storage medium loaded into the hardware terminal 41, from which ID codes are read. Rather, Appellants submit that the broadcast data is stored in EEPROM 56. See, e.g., col. 8, lines 22-32 of Kawai. Applicants further submit

that the ID codes do not identify the EEPROM 56. Rather, it is submitted that the ID codes are associated with the contents of the storage medium.

Further, assuming *arguendo*, that Kawai's ID codes identify the hardware terminals 41 (in accordance with the Examiner's position), Applicants respectfully submit that Kawai's hardware terminals 41 are not storage media of a single receiving apparatus, as recited in Applicants' independent claims 2, 4, 56, 59 and 71.

Thus, Applicants respectfully submit that Kawai fails to disclose or suggest: a transmitting apparatus that transmits a storage identifier that identifies one of a plurality of storage media of a single receiving apparatus and data to be accumulated on the storage medium identified by the storage identifier, as recited in claim 2; a transmitting method which includes transmitting a storage identifier that identifies one storage medium of a plurality of kinds of storage media of a single receiving apparatus and data to be accumulated on the storage medium identified by the storage identifier, as recited in claim 4; a transmitting apparatus that transmits a storage identifier that identifies one of a plurality of kinds of storage media of a single receiving apparatus, and data to be accumulated on a storage medium of the kind of storage medium identified by the storage identifier, as recited in claim 56; a transmitting method which includes transmitting a storage identifier that identifies one of a plurality of kinds of storage media of a single receiving apparatus, and data to be accumulated on a storage medium of the kind of storage medium identified by the storage identifier, as recited in claim 59; or a transmitting method which includes transmitting a

storage identifier that identifies one of a plurality of storage media of a single receiving apparatus and data to be accumulated on the storage medium identified by the storage identifier, as recited in claim 71.

For at least these reasons, Applicants submit that Kawai does not anticipate the inventions recited in Applicants' independent claims 2, 4, 56, 59 or 71, and thus respectfully request that the Examiner withdraw the 35 U.S.C. §102(e) rejection and allow claims 2, 4, 56, 59 and 71.

Dependent claims 66-68 are also submitted to be in condition for allowance for at least the reasons set forth above with respect to claim 4, from which they depend.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Final Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have done so.

Applicants recognize that the current status of the present application is after-Final. However, Applicants respectfully submit that entry of the present amendment is proper under the current circumstances, as it is submitted that the present amendment will place the application in condition for allowance.

Any amendments to the claims which have been made in this amendment,

and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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